

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:  
Randy M. Runyan  
Lisa A. Runyan  
Debtors  
Ronda J. Winnecour, Chapter 13 Trustee  
Movant  
vs.  
Bank of America, N.A.  
Respondent

NO. 17-10599-TPA  
CHAPTER 13  
Related to Document No. 51

**STIPULATION AND ORDER AS TO TRUSTEE'S MOTION TO PRECLUDE  
POSTPETITION MORTGAGE FEES EXPENSES AND CHARGES**

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the following Stipulation:

WHEREAS, Respondent, Bank of America, N.A., filed a Notice of Post-Petition Mortgage Fees, Expenses, and Charges (the "PPFN") on January 19, 2018 listing fees and expenses totaling \$825.00; and

WHEREAS, the Chapter 13 Trustee has filed a Motion to Preclude those fees and charges; and

WHEREAS, Respondent, solely to resolve this matter promptly and without an admission of liability or any concession of any statement of law or fact contained in the Trustee's Motion, has determined to waive the fees and charges contained in the PPFN, and did in fact waive the charges, as shown on the loan history attached hereto as Exhibit A.

It is therefore Stipulated and agreed as follows:

1. Respondent's requested fees and charges in the amount of \$825.00 are waived and adjusted in the Debtors' favor, as shown in the loan history attached hereto as Exhibit A.
2. The Chapter 13 Trustee's Motion to Preclude is denied as moot.
3. Respondent is prohibited from adding any fees or other charges to the Debtors' account in connection with the response to or resolution of the Chapter 13 Trustee's Motion to Preclude, or for otherwise complying with this Stipulation and Order.
4. The hearing in this matter scheduled for February 27, 2019 at 10:00 a.m. is cancelled, and no further responsive pleadings in this matter shall be required.

Consented to by:

/s/ Ronda J. Winnecour  
Ronda J. Winnecour, Esquire  
Chapter 13 Trustee  
US Steel Tower-Suite 3250  
Pittsburgh, PA 15219  
Phone: 412-471-5566  
[rwinneour@chapter13trusteevdpa.com](mailto:rwinneour@chapter13trusteevdpa.com)

/s/ James C. Warmbrodt, Esquire  
James C. Warmbrodt, Esquire  
Attorney for Respondent  
KML Law Group, P.C.  
701 Market Street, Suite 5000  
Philadelphia, PA 19106  
Phone: 215-627-1322  
[jwarmbrodt@kmlawgroup.com](mailto:jwarmbrodt@kmlawgroup.com)

It is hereby ORDERED that the parties' Stipulation be and hereby is APPROVED.

Dated: February 25, 2019

By the Court,



J.  
vas

**Certificate of Notice Page 3 of 3**  
**United States Bankruptcy Court**  
**Western District of Pennsylvania**

In re:  
 Randy M. Runyan  
 Lisa A. Runyan  
 Debtors

Case No. 17-10599-TPA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: lkat  
 Form ID: pdf900

Page 1 of 1  
 Total Noticed: 1

Date Rcvd: Feb 26, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 28, 2019.

db/jdb +Randy M. Runyan, Lisa A. Runyan, 12771 Route 219, Ridgway, PA 15853-4525

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 28, 2019

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 25, 2019 at the address(es) listed below:

James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmllawgroup.com  
 Kenneth P. Seitz on behalf of Joint Debtor Lisa A. Runyan thedebterasers@aol.com  
 Kenneth P. Seitz on behalf of Debtor Randy M. Runyan thedebterasers@aol.com  
 Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
 Ronda J. Winnecour cmeccf@chapter13trusteewdpa.com

TOTAL: 5